

**DETAILED ACTION**

***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 9/15/2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frederic Tenney on 2/3/2009.

3. The application has been amended as follows:

In the Claims:

In claim 1 line 7, delete -- or by --- after "on".

In claim 6 line 2, delete -- the cover --- after "wherein" and insert -- the balustrade when retracted --- after "wherein".

***Allowable Subject Matter***

4. Claims 1-11 are allowed.

5. The following is an examiner's statement of reasons for allowance:

**Claim 1:** In view of the limitations, the prior art does not disclose or fairly suggest alone or in combination an elevator car including a cover that extends on a retractable balustrade at the top

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surface of the elevator car, wherein the car further includes detection means for detecting displacement of the cover due to a weight exceeding a predetermined threshold being applied to the cover.

The related prior art references disclosed in form 892 and 1449 describes various apparatus including safety features that include a balustrade and in others a load (weight) detection means. The closest prior art (JP 2002020062 and JP 2002003113A) disclose a cover (mat switches) that correspond to a weight (load) exceeding a predetermined threshold on the top surface of an elevator car. The balustrade and the cover area are each operated independently from each other. There is no teaching or suggestion in the prior art to provide the cover on the retractable balustrade combining the safety function of both devices. Therefore, the claim in the application is deemed to be directed to a nonobvious improvement over the prior art disclosed on form 892 and 1449, in particular JP 2002020062 and JP 2002003113A.

### ***Conclusion***

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eduardo Colon-Santana whose telephone number is (571)272-2060. The examiner can normally be reached on Monday thru Friday 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Benson can be reached on (571) 272-2800 X.37. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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February 03, 2009

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